IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Craig Uhrich et al.

Application No.: 09/848,733

Filed: May 3, 2001

For: SMALL SPOT SPECTROSCOPIC

ELLIPSOMETER WITH REFRACTIVE

FOCUSING

Group Art Unit: 2877

Examiner: Gordon J. Stock, Jr.

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

121 Spear Street, Suite 290 San Francisco, CA 94105 (415) 512-1312

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 14, 2004.

STALLMAN & POLLOCK LLP

Dated: 04/14/2004

y: Johnson
Georgia H. Stith

M/S RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

Atty Docket No.: TWI-12410

known to the undersigned, prior to the mailing date of either a final rejection or a
notice of allowance, whichever occurs first, and is accompanied by either the fee
(\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR §
1.97(e), as checked below.
(e) is filed after the mailing date of either a final rejection or a notice of allowance,
whichever occurred first, and the Issue Fee has not been paid, and is accompanied
by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified
in 37 CFR § 1.97(e), as checked below. This document is to be considered as a
petition requesting consideration of the information disclosure statement.
[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR
§ 1.97(e) may need to be completed.] The undersigned certifies that:
(f) Each item of information contained in the information disclosure statement was
cited in a communication mailed from a foreign patent office in a counterpart
foreign application not more than three months prior to the filing of this
information disclosure statement.
(g) No item of information contained in this information disclosure statement was
cited in a communication mailed from a foreign patent office in a counterpart
foreign application or, to the knowledge of the undersigned after making
reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c)
more than three months prior to the filing of this information disclosure statement
A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449
(Modified).
A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted
below.
Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached
form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an
application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in
a prior application no, filed and relied upon in this application for
an earlier filing date under 35 U.S.C. § 120.
A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:
(k) not given
·

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(l) given for each listed item				
(m) given for only non-English language listed item(s) [Required]				
(n) is in the form of an English language copy of a Search Report from a foreign				
patent office, issued in a counterpart application, which refers to the relevant				
portions of the references [copy attached].				
The Examiner is reminded that a "concise explanation of the relevance" of the submitted				
items "may be nothing more than identification of the particular figure or paragraph of the patent				
or publication which has some relation to the claimed invention," MPEP § 609.				
While the information and references disclosed in this Information Disclosure Statement				
may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that				
any patent, publication or other information referred to therein is "prior art" for this invention				
unless specifically designated as such.				
In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement				
shall not be construed to mean that a search has been made or that no other material information				
as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement				
is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully				
requested to consider the listed references.				
The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703,				
under Order No. [Client No.]TWI-12410, for any fees required in connection with the				
filing of this Information Disclosure Statement. A duplicate copy of this Notice is				
enclosed for this purpose. In particular, in the event that an Office Action has crossed				
in the mail with this Information Disclosure Statement, the Commissioner is authorized				
to charge the above-named deposit account for any fees required pursuant to CFR §§				
1.17(p) or 1.17(i)(1).				
Respectfully submitted,				
STALLMAN & POLLOCK LLP				
Dated: April 14, 2004 By: Dated:				
Jason D./Lohr (Reg. No. 48,163)				
Attorneys for Applicant(s)				

Atty Docket No.: TWI-12410

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)	Application Number
TWI-12410	09/848,733
Applicant(s)	
Craig Uhrich et al.	
Filing Date	Group Art Unit
May 3, 2001	2877

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	Ref	DOCUMENT NUMBER	DATE	Name	CLASS	SUBCLASS	FILING DATE
	<u>. </u>						

FOREIGN PATENT DOCUMENTS

	DOCUMENT			}		TRANS	SLATION
REF	Number	DATE	COUNTRY	CLASS	SUBCLASS	YES	No
<u> </u>							
				-	1		
<u> </u>					1		

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

CA	M.E. El-Ghazzawi et al., "Spectroellipsometry characterization of directly bonded silicon-on-insulator structures," <i>Thin Solid Films</i> , Vol. 233 (1993), pp. 218-222.			

Examiner	Date Considered				
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if					
not in conformance and not considered. Include conv of this form with next communication to applicant					